

Application No.: 10/516,733

Docket No.: 022290.0122PTUS

REMARKS

Claim 12 is currently amended to correct a typographical error. Applicant believes no new matter is entered by this amendment and requests entry of the claim amendment.

In response to the Examiner's Communication dated October 18, 2006, the Applicant hereby elects the species Polymer 1 as exemplified in Example 1.

Applicant's election is made without prejudice. As noted by the Examiner, upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to not more than a reasonable number of species in addition to the elected species, provided that all claims to each additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.146.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-2228, under Order No. 022290.0122PTUS from which the undersigned is authorized to draw.

Dated: November 20, 2006

Respectfully submitted,

By 

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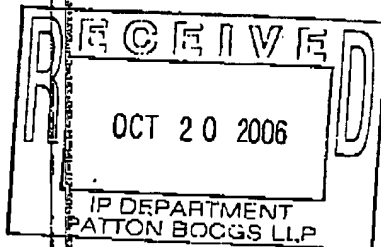
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022290.0122PTUS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,733	10/03/2005	You-Ping Chan	022290.0122PTUS	8573
32042	7590	10/18/2006		
PATTON BOGGS LLP 8484 WESTPARK DRIVE SUITE 900 MCLEAN, VA 22102				
			EXAMINER LUKTON, DAVID	
			ART UNIT 1654	PAPER NUMBER

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



**Scanned**  
 Date 10-20-06

IP Centralized Docket Stamp	
<u>10/23/06</u>	Date Docketed
<u>11/18/06</u>	Due Date
<u>4/18/07</u>	Final Due Date
<u>  /  /  </u>	Date Removed
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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10/516733

EXAMINER

ART UNIT

PAPER NUMBER

2006/1004

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Please see the attached communication regarding the paper filed 9/28/06.

Serial No. 10/516,733  
Art Unit 1654

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Applicants' election of Group I (claims 1-14) is acknowledged.

However, applicants have declined to elect a specie. As indicated previously, a "specie" is a specific peptide/tocopherol conjugate which is as fully defined as the specification permits.

The time for response (one month) is reset herewith.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lukton whose telephone number is 571-272-0952. The examiner can normally be reached Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang, can be reached at (571)272-0562. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600.



DAVID LUKTON, PH.D.  
PRIMARY EXAMINER

PTO/SB/97 (08-04)  
Approved for use through 07/31/2008. OMB 0851-0031  
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application No. (if known): 10/516,733

Attorney Docket No.: 022290.0122PTUS

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on November 20, 2006  
Date

Rebecca Gillette  
Signature

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Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Election of Species Requirement and Amendment (7 pages)  
Copy of Species Requirement (3 pages)

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